

WESTON-SUPER-MARE TOWN COUNCIL - DECISION 21st March 2016

of Councillor Peter Crew, and Councillor Jos Holder, in consultation with the Town Clerk

Water Park Kiosk Concession

On 5th October 2016 the Tourism and Leisure Committee considered a report from the Town Clerk regarding the concession at the Water Park. The Committee resolved as follows:

1. The refreshment kiosk concession with the improved facilities be re-procured in open competition.
2. The new refreshment kiosk be let out as a concession for five years and that a break clause be included.

At the meeting the committee asked for a good quality menu to be provided including a range of healthy options.

Unfortunately, since the procurement process was commenced it has emerged that delays to the building project have taken place due to delays with the electricity connection, prior to the foundations being constructed and then the new cabin installed. These mean that the kiosk will not be available to occupy until w/c 18th April at the earliest prior to being furnished and equipped which is likely to take 2 to 4 weeks.

Given that the kiosk will now not be available until late April or May it is recommended that whoever is the successful bidder be granted a concession until the end of September 2019 as it would not be prudent to change concessionaire part way through the summer season as this would result in a disruption of service to families using the Water Park.

A procurement process has been undertaken and bidders were asked to provide a menu, their health and safety policy or statement, details of their experience and to comply with the Council's equality policy. Six quotations were received and opened in the presence of the Chairman and Vice Chairman on Monday 7th March. These were assessed on both price and quality. On price the offers, aggregated over the three years, came in at:

1. £30,541.55 (£9,500 increasing by 7% pa)
2. £29,000.00 (£9,000 increasing to £10,000 in years 2 and 3)
3. £24,000.00 (£7,000 increasing by £1,000 pa)
4. £12,000.00 (£4,000 plus some free advertising etc)
5. £12,000.00 pa
6. £7,500.00 pa

In order to protect the confidential commercial information of the unsuccessful bidders (disclosure of which could discourage future tenders to the Council) it is recommended that

their identities need to remain confidential prior to a decision being made, at which point the identity of the successful bidder can be revealed.

The highest quotation was felt also to be good quality and company 1 were advised that they were the preferred concessionaire with two other bidders, company 2 and 3 asked to remain in reserve, which they both agreed to do. The remaining three bidders were advised that they were unsuccessful.

However company 1 then requested adjustments including (a) a four to six week set up period from the date the kiosk is available, (b) extension of the concession to the end of September 2019 (on a 3 year basis) and (c) to station an ice cream van permanently in the Park. While conditions (a) and (b) were agreeable, condition (c) was not part of the original offer and raised concerns. In any event Landlord consent as required under the Lease from North Somerset Council was not forthcoming for the ice cream van to be permanently stationed in the Park, only for a temporary 3 month period.

As a result negotiations took nine days and company 1, having been pressed to make a decision, withdrew their quotation on the afternoon of Wednesday 16th March.

Companies 2 and 3 were therefore advised that a decision would be made on Monday 21st March.

An increased offer was received from Company 3 on Thursday 17th March of £28,500 (£8,500 increasing by £1,000 pa on the 1st and 2nd anniversaries).

A menu was received from Company 2 (who had not previously provided one) on 21st March.

An assessment of quality between companies 2 and 3 has been made. Company 2's financial offer remains slightly higher at £29,000. Company 3's menu is however considered to be higher quality with a greater proportion of healthy options. In addition company 3 has submitted an equality policy while company 2 has not submitted a health and safety or food hygiene policy. It is also noted that company 2 is in debt to the Council although it has promised to pay the sum due in early course.

It is therefore RECOMMENDED that a concessionaire be selected from the reserve companies 2 and 3 with permission for up to four weeks' (max) set up period and the concession to continue until 30th September 2019 (renewable by mutual agreement).

If a quotation is accepted the name of the successful bidder will be reported at the Tourism and Leisure Committee meeting on 4th April.

DECISION

Under the Town Council's Scheme of Delegation paragraph 2 "Chairman's Action" we as Chairman and Vice Chairman of the Tourism and Leisure Committee in consultation with the Town Clerk AGREE that the concession be granted to Company 3 with permission for up to four weeks' maximum set up period and the concession to continue until 30th September 2019 (renewable by mutual agreement).

Signed (Chairman)

Date.....

Signed(Vice-Chairman)

Date.....

Advice confirmed by:

Signed(Town Clerk)

Date.....